

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.5518 of 2024**

Arising Out of PS. Case No.-146 Year-2024 Thana- GANGABRIDGE District- Vaishali

Anil Ray @ Anil Kumar @ Anil Rai Son of Jagdish Rai village- Diwantok  
Ps- Ganga Bridge Dist- Vaishali

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Abhishek Kumar Tripathi, P.S.I. At Present S.H.O. Ganga Bridge Police Station, Vaishali, Bihar bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Dilip Kumar Singh, Advocate

For the Respondent/s : Ms. Usha Kumari 1, SPP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

6      31-07-2025      Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant.

2.      The instant appeal has been filed by the appellant against the order dated 25-10-2024 passed by learned Exclusive Special Judge (SC/ST Act)-cum-Additional Sessions Judge, Vaishali at Hajipur whereby the prayer for bail of the appellant in connection with Ganga Bridge PS Case No. 146 of 2024 under Sections 191(2), 191(3), 190, 329(3), 127(1), 115(2), 109,



132, 303(2), 74, 121(2), 352 & 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r)(s) & 3(2)(va) of SC/ST Act was rejected.

3. The prosecution case is that on 22.07.2024 during a raid at night to arrest Anil Rai (appellant) the accused and his family members violently attacked the police with iron rods, lathis, and bricks. Several police personnel were injured, and a gold chain was allegedly snatched from a probationary S.I. by Sanjit Kumar. The accused also abused police personnel using caste-related slurs and helped Anil Rai escape.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the appellant submits that there is no allegation of assault against the appellant and injury of the injured is found to be simple in nature. No case is made out against the appellant and he has become the victim of the circumstances. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The



appellant is in custody since 21-10-2024 and has three criminal antecedents.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 25-10-2024 passed by learned Exclusive Special Judge (SC/ST Act)-cum-Additional Sessions Judge, Vaishali at Hajipur is hereby set aside.

7. Let the appellant be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ganga Bridge PS Case No. 146 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the  
bail bonds of the appellant.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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